

6p214  
#3

#9 3/21/03 C.W. PATENT

I certify that on **March 26, 2002**, which is the date I am signing this certificate, I am depositing this correspondence the United States Postal Service, first class mail, in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231

*Jessica Brown*  
Jessica Brown

Applicant: Dave B. Adair et al.

Serial No.: 10/036,966

Filed: December 20, 2001

Title: Move Lot Size Balancing System  
and Method

Examiner: Not Assigned

Group Art Unit: 2121

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents  
Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT [37 C.F.R. § 1.56]

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicant brings the references listed on the attached Form PTO-1449 to the examiner's attention. 37 C.F.R. § 1.56. Do not construe the filing of this information disclosure statement as a representation that applicant has made a search (37 C.F.R. § 1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. We enclose copies of the cited documents.

This Information Disclosure Statement is being submitted:

- 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office action on the merits, and therefore, Applicant believes no fee is required;
- 2. After the period specified in paragraph (1) above of this section, but before the mailing date of either a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, and is accompanied by either:

RECEIVED  
APR 03 2002  
Technology Center 2100

- (a) A statement that:
- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months before the filing of the information disclosure statement; or
  - (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the information disclosure statement; or
- (b) The fee of \$180 for filing of an Information Disclosure Statement under 37 C.F.R. § 1.17(p).
3. After the period specified in paragraph (2) of this section, but on or before payment of the issue fee and is accompanied by:
- (a) A statement that:
- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months before the filing of the information disclosure statement; or
  - (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information con-

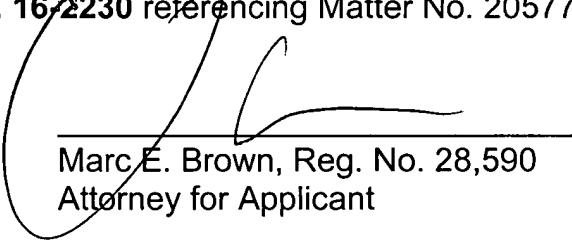
tained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the information disclosure statement;

- (b) A petition requesting consideration of the information disclosure statement; and
- (c) The petition fee set forth in 37 C.F.R. § 1.17(i).

Applicant would appreciate the examiner initialing and signing a copy of attached Form PTO-1449 indicating that he or she considered the information and made the information of record.

If the transmittal letter is separated from this document and the PTO determines that an extension or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 16-2230** referencing Matter No. 20577-16.

March 26, 2002

  
\_\_\_\_\_  
Marc E. Brown, Reg. No. 28,590  
Attorney for Applicant

**OPPENHEIMER**

OPPENHEIMER WOLFF & DONNELLY LLP

**OPPENHEIMER WOLFF & DONNELLY LLP**  
2029 Century Park East, 38<sup>th</sup> Floor  
Los Angeles, CA 90067-3024  
Telephone: (310) 788-5000 • Fax: (310) 788-5100

Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>					
				Application Number	10/036,966
				Filing Date	December 20, 2001
				First Named Inventor	Dave B. Adair
				Art Unit	2121
				Examiner Name	Not known
Sheet	1	of	1	Attorney Docket Number	20577-16

**RECEIVED**  
APR 03 2002  
**Technology Center 2100**

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number -Kind Code <sup>2</sup> (if known)		
		US-3,624,608	11-30-1971	Altman
		US-5,136,636	08-04-1992	Wegrzynowicz
		US-5,278,750	01-11-1994	Kaneko et al.
		US-5,550,735	08-27-1996	Slade et al.
		US-5,742,931	04-21-1998	Spiegelhoff et al.
		US-5,765,143	06-09-1998	Sheldon et al.
		US-5,828,747	10-27-1998	Fisher et al.
		US-5,930,763	07-27-1999	Kaneko et al.
		US-5,963,919	10-05-1999	Brinkley et al.
		US-6,038,309	03-14-2000	Ram et al.
		US-6,049,774	04-11-2000	Roy
		US-6,101,479	08-08-2000	Shaw
		US-6,188,989 B1	02-13-2001	Kennedy

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature \_\_\_\_\_ Date Considered \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.